THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 18563 of 2004

31-08-2005

Between:

The Regional Commissioner, Coal Mines Provident Fund, Kothagudem,

Khammam Djistrict.

.....PETITIONER

AND

Damerla Bhagyalaxmi & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 18563 OF 2004

ORDER : (Per Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

It appears that there was some dispute between respondents No.1 & 2 and respondent No.3, who is their father. The matter was pending in Civil Court and ultimately it was decided in Lok Adalat by way of compromise. Respondent No.3 is entitled to Coal Mines Provident Fund and Gratuity amount from the writ petitioner. According to the compromise between respondents No.1 and 2 and respondent No.3, after respondent No.3 receives the money from the writ petitioner, he had to give it to respondent No.2 only. The writ petition is filed on the ground, if the orders are passed for distribution of the Fund which is credited to the account of the members of Coal Mines Provident Fund and Gratuity, same will discourage the workers to become members to the said Fund. We do not understand the logic of such an apprehension. The writ petitioner do not dispute that respondent No.3 is entitled to the amount of Coal Mines Provident Fund and Gratuity and they have further conceded that this amount has to be paid to respondent No.3.

In these circumstances, we direct that the writ petitioner shall deposit the amount due to respondent No.3 in his Bank account immediately along with interest. It is for respondent No.3 thereafter, to distribute the money in terms of the award and the writ petitioner cannot have any control over respondent No.3 on that score.

Writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, ACJ)

31st August 2005.

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(R.SUBHASH REDDY, J)

ajr